Response under 37 C.F.R. § 1.111 Attorney Docket No. 020179 U.S. Serial No.10/049,616

## **REMARKS**

Claims 1, 5, 9 and 10 are pending in the present application. No amendments were made by the present response. Reconsideration of the claims is respectfully requested in view of the following discussion.

## Allowable Subject Matter:

Applicants gratefully acknowledge that claim 9 has been allowed.

## As to the Merits:

As to the merits of this case, the Examiner relies on the newly cited references of <u>Lueck</u> et al. (U.S. Patent No. 6,721,710) and <u>Fujii et al.</u> (U.S. Patent No. 6,816,491) in setting forth the following rejections:

- 1) claims 1, 5 and 10 stand rejected under 35 USC §102(e) as being anticipated by Lueck et al; and
- 2) claims 1 and 5 stand rejected under 35 USC §102(e) as being anticipated by <u>Fujii</u> et al.

Each of these rejections is respectfully traversed.